

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

REMARKS/ARGUMENTS

The Examiner rejected claims 4-7, 12 and 34 as indefinite (35 U.S.C. §112). The Examiner also rejected claims 1-14, 16-21, 23-36, 38-43, 45-55, 59, 61-64 as anticipated (35 U.S.C. §102) by Kleewin (US 5,930,793). Furthermore, the Examiner rejected claims 22, 44, 56, 57, 60 as obvious (35 U.S.C. §103) over Kleewin. Additionally, the Examiner rejected claims 15, 37, and 58 as being obvious (35 U.S.C. §103) over Kleewin in view of Vicik (US 5,835,904). Applicants traverse the claim rejections of claims 1-64.

Claim rejections under 35 U.S.C. §112

The Examiner rejected claims 4-7, 12 and 34 as indefinite (35 U.S.C. §112).

Claim 4

Pending claim 4 depends on independent claim 1 and further requires that the multiple requests received by the client program from the application program comprise single-row fetch requests and the rows from the database object that satisfy the search predicates are returned as part of a scrollable cursor created by the application program.

The Examiner finds that a cursor is defined as a special on-screen indicator, such as a blinking underline or rectangle that marks the place at which a keystroke will appear when typed and finds that the definition is from the fifth edition of the Microsoft Computer Dictionary. The Examiner further finds that it is not clear to the Examiner why the application program would display a cursor on the screen when fetching single rows from the database.

The on-screen indicator cursor described the Examiner is not at all related to the scrollable cursor required by claim 4. A scrollable cursor is well known in the database art and allows an application program to move both forward and backward through a result table related to a database. The specification describes database scrollable cursors on page 2, lines 1-4.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Scrollable cursors in databases are different from an on-screen indicator as described in the cursor definition from the Microsoft Computer Dictionary as found by the Examiner. Therefore, contrary to the Examiner's assertion the application program does not display a cursor on the screen when fetching single-rows from the database. Claim 4 requires a scrollable cursor in a database and not an as an on-screen indicator.

For the above reasons, the requirements of claim 4 are not indefinite and claim 4 complies with the requirements of 35 U.S.C. §112 second paragraph.

Claim 34

The Examiner rejected claim 34 because claim 34 has language similar to claim 4. Applicants maintain that claim 34 is not indefinite for reasons similar to the reason why claim 4 is not indefinite as described above. Therefore, claim 34 is not indefinite and complies with the requirements of 35 U.S.C. §112 second paragraph.

Claims 5-7

The Examiner rejected claims 5-7 for being dependent from a rejected base claim. Applicants maintain that the rejected base claim 4 is not indefinite and is patentable for the reasons described above. Therefore, the dependent claims 5-7 that include additional limitations also comply with the requirements of 35 U.S.C. §112 second paragraph.

Claim 12

The Examiner has rejected claim 12 as indefinite. Claim 12 depends from claim 1 and further requires:

determining, with the client program, whether the data block includes less rows than the rowset parameter;

determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

sending, with the client program, a command to the server program to transmit the difference of rows.

The Examiner finds that it is unclear why the applicant claims that the difference in rows between the data block and the rowset parameter must be transmitted to the client (office action: Page 2-3). The Examiner indicates that there is no need to transmit the difference in rows when the data block is smaller than the rowset parameter because data existing in the data block has been fully transmitted and possible information existing in the difference of rows would not be of interest to the client.

Claim 12 requires determining with the client program a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter. Unlike what the Examiner finds, the claims do not require that the difference in rows between the data block and the rowset parameter must be transmitted to the client. Rather the claims require the client program to determine the difference.

The requirements of claim 12 add further limitations to the requirements of claim 1. Claim 1 requires transferring with the client program a database command and a rowset parameter to a server program. Claim 1, also requires transferring with the server program a data block to the client program, where the data block includes rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the data block do not exceed the rowset parameter. There is no requirement in claim 1 that the data block includes all rows corresponding to the rowset parameter. Therefore, the client may request additional rows not included in the data block. For instance, page 14 of the specification describes that it may be possible that the client, such as DRDA client 6, only supports single-row fetching for scrollable cursors. In such a situation, additional rows may be requested to the client program to the server program. The claimed difference determination may be for the additional rows.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

For the above reasons, the requirements of claim 12 are not indefinite and claim 12 complies with the requirements of 35 U.S.C. §112 second paragraph.

Claim rejections under 35 U.S.C. §102 and §103

Claims 1, 23, 45

Independent claims 1, 23, and 45 are a method, system, and computer readable media for accessing data in a distributed database environment, comprising:

receiving, with a client program, multiple requests for data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object;

transferring, with the client program, a database command and a rowset parameter indicating a maximum number of rows to return to a server program over a network if the requested row is not maintained by the client program;

generating a data block with the server program including rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the data block do not exceed the rowset parameter;

transferring, with the server program, the data block to the client program; and
returning, with the client program, at least one requested row from the received data block in response to one request for the at least one row of data from the application program.

The Examiner has rejected claim 1, 23, 45 as anticipated (35 U.S.C. §102) by Kleewin (FIG. 2: reference numerals 212, 104, 106, 108A, 110A, 110B, 238; FIG. 7; col. 3: lines 47-52; col. 5: lines 9-14; col. 5: lines 9-14, 20-25, and 53-58; col. 6: lines 6-16). The cited Kleewin discusses how block fetch (fetching a data block comprising two or more records from a target database management system) and positioned update (modifying or deleting a record identified

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

by the current position of the cursor as the cursor is perceived by a client) are both supported at the same time in database systems.

Nowhere does the cited Kleewin disclose the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program and transferring with the server program a data block to client program, wherein the rows included in the data block do not exceed the rowset parameter. Furthermore, nowhere does the cited Kleewin disclose the additional claim requirement that the client program returns at least one requested row from the received data block to an application program in combination with the other claim requirements. Instead, the Kleewin discusses how block fetch and positioned updates are both supported at the same time in database systems.

The Examiner found that col. 5, lines 9-14 of cited Kleewin discloses the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter. Col. 5, lines 9-14 of the cited Kleewin describes how data can be retrieved in blocks, where each block comprises a plurality of rows, rather than one row at a time. Nowhere does the cited Kleewin disclose the claim requirement of transferring a rowset parameter with the database command as required by the claims. The block fetch operations described by the cited Kleewin does not disclose the claim requirement of transferring a rowset parameter from the client program to the server program.

The Examiner further found that elements 106 and 108A of FIG. 2 discloses the claim requirement of the rowset parameter indicating a maximum number of rows to return. Element 106 of the cited Kleewin is an interface module and element 108A of the cited Kleewin is a database instance. In the cited Kleewin the interface module retrieves a plurality of rows (blocks) from the database instance but nowhere does the cited Kleewin disclose the claim requirement of the rowset parameter that indicates the maximum number of rows to return. In fact, Kleewin discusses that if each block includes five rows (Kleewin: col. 5, lines 39-44) the client fetches all

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

five rows. Therefore, the cited Kleewin teaches away from the claim requirement of the rowset parameter indicating a maximum number of rows to return.

The Examiner further found that FIG. 7, and col. 5: lines 53-58 and col. 6: lines 6-16 of the cited Kleewin discloses the claim requirement of transferring the database command and the rowset parameter if the requested row is not maintained by the client program. The cited Kleewin discusses block fetch and update operations being done without mutual exclusiveness. Nowhere does the cited Kleewin disclose the claim requirement of transferring the database command and the rowset parameter if the requested row is not maintained by the client program.

The Examiner found that col. 5, lines 9-14 of the cited Kleewin disclose the claim requirement of generating a data block with the server program, wherein the rows included in the data block do not exceed the rowset parameter. Col. 5, lines 9-14 of the cited Kleewin describes how data can be retrieved in blocks, where each block comprises a plurality of rows, rather than one row at a time. Nowhere does the cited Kleewin disclose the claim requirement of generating a data block with the server program, wherein the rows included in the data block do not exceed the rowset parameter.

Therefore, nowhere does the cited Kleewin disclose the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program and transferring with the server program a data block to client program, wherein the rows included in the data block do not exceed the rowset parameter. Additionally nowhere does the cited Kleewin disclose the additional claim requirement that the client program returns at least one requested row from the received data block to an application program in combination with the other claim requirements.

For the above reasons, claims 1, 23, and 45 are patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Claims 2-12, 24-34, 46-55

The Examiner has also rejected pending claims 2-12, 24-34, 46-55 that depend on the pending independent claims 1, 23, and 45 respectively. Applicants submit that these claims are patentable over the cited art because they depend from claims 1, 23, and 45 respectively which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 2-12, 24-34, 46-55 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Claim 2

Claim 2 depends from claim 1, and further requires that the multiple requests specify orientation information for a row from the database object satisfying the specified search predicates. The Examiner has found that Kleewin (FIGs. 5 and 6) discloses orientation information for a row and has rejected claim 2 under 35 U.S.C. §102. The cited Kleewin in FIGs. 5 and 6 discuss how cursors advance among rows. Nowhere does the cited Kleewin disclose the claim requirement that the multiple requests specify orientation information for a row from the database object satisfying the specified search predicates. Therefore, claim 2 is patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Claim 3, 36, 38, 39, 47, 59

Claim 3 depends from claim 1, and further requires that the server program maintains a maximum block size parameter, and wherein the data block is further generated to not exceed the block size parameter. The Examiner has found that Kleewin (col. 5: lines 15-20) discloses a maximum block size parameter and has rejected claim 2 under 35 U.S.C. §102. The cited Kleewin discusses retrieving data in blocks. However, nowhere does the cited Kleewin disclose the claim requirement that the server program maintains a maximum block size parameter, and wherein the data block is further generated to not exceed the block size parameter. Therefore,

Amndt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

claim 3 is patentable over the cited Klecwin because the cited Kleewin does not teach or disclose all the claim limitations.

The Examiner rejected claims 36, 38, 39, 47, and 59 for similar reasons and similar arguments as above apply. Therefore, claims 36, 36, 38, 39, 47, and 59 are patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Claims 7, 29

Claim 7 depends from claim 6, wherein the client program manages the client cursor to ensure that the correct row is returned from the server in order to satisfy the client requests and wherein the client program is capable of sending a command to the server program to correct the server cursor position. The Examiner found that Kleewin (FIG. 7; col. 5:lines 27-30) discloses that the client program manages the client cursor to ensure that the correct row is returned from the server. The cited Kleewin discusses positioned updates where the record being updated is the one pointed to by the cursor. Nowhere does the cited Kleewin disclose that the client program manages the client cursor to ensure that the correct row is returned from the server in order to satisfy the client requests and wherein the client program is capable of sending a command to the server program to correct the server cursor position. Therefore claims 7 and 29 are patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Claim 12

Claim 12 depends from claim 1 and further comprises:
determining, with the client program, whether the data block includes less rows than the rowset parameter;

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and

sending, with the client program, a command to the server program to transmit the difference of rows.

The Examiner found that Kleewin discloses sending with the client program, a command to the server program to transmit the difference of rows (col. 5: lines 59-67) and rejected claim 12 under 35 U.S.C. §102. The cited Kleewin discusses block fetch and positioned update operations. Nowhere does the cited Kleewin disclose the claim requirement of sending with the client program a command to the server program to transmit the difference of rows. Therefore claim 12 is patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Independent claim 13 and claims 14, 16, 17, 40

Independent claim 13 is a method for accessing data in a distributed database environment, comprising:

receiving, with a client program, multiple requests for at least one row of data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object satisfying the specified search predicates;

transferring, with the client program, a database command and a rowset parameter indicating a maximum number of rows to return to a first server program over a network if the requested row is not maintained by the client program;

transferring, with the first server program, a database command and the rowset parameter to a second server program over the network if the requested row is not maintained by the first server program;

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

generating a first data block with the second server program including rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the first data block do not exceed the rowset parameter;

transferring, with the first server program, the first data block to the first server program;

generating a second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter;

transferring, with the first server program, the second data block to the client program;

and

returning, with the client program, at least one requested row from the received data block in response to one request for the at least one row of data from the application program.

The Examiner has rejected independent claim 13 under 35 U.S.C. §102 because according to the Examiner, Kleewin discloses the essential elements of the claim 13. The Examiner has not indicated where the elements of claim 13 are disclosed in Kleewin. The Examiner has indicated that col. 3, lines 47-52 of Kleewin discloses generating a second data block with the first server program including rows from the first data block wherein the rows in the second data block do not exceed the rowset parameter. The cited col. 3, lines 47-52 of Kleewin discusses a common interface modules for all back end database systems. By operation of the interface module clients are placed under the illusion that the clients are interacting with a single back-end system. Nowhere does the cited Kleewin teach or disclose the claim requirement of generating a second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter. Additionally, since the Examiner has specifically not indicated where the other requirements of claim 13 are taught or disclosed in Kleewin the applicants request the Examiner to indicate those sections of Kleewin that disclose the claim requirements of claim 13.

For the above reasons, claim 13 is patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

The Examiner rejected claims 14, 16, 17, and 40 for similar reasons and similar arguments as above apply. Therefore, claims 14, 16, 17, and 40 are patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Claims 18-21, 41-43, 61-64

Claim 18 depends from claim 17 and further requires that the first block limit is greater than the second block limit and both are less than the limit imposed by the rowset parameter and wherein generating the second data block with the first server program from the rows in the first data block comprises:

- adding all the rows from the first data block to the second data block, wherein the rows added to the second data block is less than the rowset parameter;

- transmitting, with the first server program, a database command to the second server program requesting a shortfall of rows equal to the rowset parameter minus the number of rows added to the second data block; and

- receiving, with the first server program, a third data block from the second server program including the shortfall of rows;

- adding, with the first server program, rows from the third data block, up to the first block limit, to the pending second data block;

- repeating the sending of a database command to the second server program and the receiving of additional rows until the first block limit is satisfied; and

- returning the second data block to the client program.

The Examiner found that in Kleewin the claimed method of collecting data at the database and transmitting it to the client is inherent. However, claim 18 requires that the first block limit is greater than the second block limit and both are less than the limit imposed by the rowset parameter and wherein generating the second data block with the first server program from the rows in the first data block comprises the steps of adding, transmitting, receiving,

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

adding repeating and returning and nowhere does the cited Kleewin teach these claim requirements.

Therefore claims 18-21, 41-43, 61-64 are patentable over the cited Kleewin because the cited Kleewin does not teach all the claim requirements.

Claim 55

Claim 55 depends from claim 45 and further comprises:

determining, with the client program, whether the data block includes less rows than the rowset parameter;

determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and

sending, with the client program, a command to the server program to transmit the difference of rows.

The Examiner has found that Kleewin discloses sending with the client program a command to the server program to transmit the difference of rows (col. 5, lines 64-67). The cited Kleewin discusses that sometimes the interface module fetches data in blocks and sometime one row at a time. Nowhere does the cited Kleewin disclose determining, with the client program, whether the data block includes less rows than the rowset parameter; determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and sending, with the client program, a command to the server program to transmit the difference of rows.

Therefore claim 55 is patentable over the cited Kleewin because the cited Kleewin does not teach all the claim requirements.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Independent claim 35

Independent claim 35 is a system for accessing data in a distributed database environment, comprising:

a distributed computing environment including at least one client program, first server program, second server program, and at least one database object;

a network enabling communication among the client program, first server program, and second server program;

means, performed by the client program, for receiving multiple requests for at least one row of data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object satisfying the specified search predicates;

means, performed by the client program, for transferring a database command and a rowset parameter indicating a maximum number of rows to return to the first server program over the network if the requested row is not maintained by the client program;

means, performed by the first server program, for transferring a database command and the rowset parameter to the second server over the network if the requested row is not maintained by the first server program;

means, performed by the second server program, for generating a first data block including rows from the database object satisfying the search predicates in response to the database command from the first server program, wherein the rows included in the first data block do not exceed the rowset parameter;

means, performed by the first server program, for transferring the first data block to the first server program;

means, performed by the first server program, for generating a second data block including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter;

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

means, performed by the first server program, for transferring the second data block to the client program; and

means, performed by the client program, for returning at least one requested row from the received data block in response to one request for the at least one row of data from the application program.

The Examiner has rejected independent claim 35 under 35 U.S.C. §102 on the same grounds as the rejection of independent claims 1, 23 and 45. Applicants argue that independent claim 35 is patentable over the cited Kleewin for reasons provided above in the discussion of independent claims 1, 23, and 45. Additionally, independent claim 35 requires means performed by a first server program and means performed by the second server program that are nowhere disclosed in the cited Kleewin.

For the above reasons, claim 35 is patentable over the cited Kleewin because the cited Kleewin does not teach or disclose all the claim limitations.

Claims 14-22, and 36-44

The Examiner has also rejected pending claims 14-22 and 36-44 that depend on the pending independent claims 13 and 35. Applicants submit that these claims are patentable over the cited art because they depend from claims 13 and 35 which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 14-22 and 36-44 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Independent claim 56

Independent claim 56 is a multiple computer readable media including instructions in a client program, first server program, and second server program that communicate over a

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

network to cause computers to enable access to data in a network distributed database environment by:

receiving, with the client program, multiple requests for at least one row of data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object satisfying the specified search predicates;

transferring, with the client program, a database command and a rowset parameter indicating a maximum number of rows to return to the first server program over a network if the requested row is not maintained by the client program;

transferring, with the first server program, a database command and the rowset parameter to a second server program over the network if the requested row is not maintained by the first server program;

generating a first data block with the second server program including rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the first data block do not exceed the rowset parameter;

transferring, with the first server program, the first data block to the first server program;

generating a second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter;

transferring, with the first server program, the second data block to the client program;

and

returning, with the client program, at least one requested row from the received data block in response to one request for the at least one row of data from the application program.

The Examiner has rejected independent claim 56 as obvious over Kleewin under 35 U.S.C. §103. The Examiner has found that Kleewin discloses the essential elements of claim 56 without indicating where the cited Kleewin teach or disclose the claim requirements of the claim 56.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

The Examiner finds that Kleewin does not disclose the claim requirement of generating a second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter. The Examiner maintains that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kleewin to include generating a second block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter. The Examiner maintains that this modification involves only routine skill in the art. However, nowhere does the cited Kleewin provide any motivation for the modification. In fact, the cited Kleewin teaches and suggests away from the claim requirements of claim 56, because the cited Kleewin discusses that if each block includes five rows (Kleewin: col. 5, lines 39-44) the client fetches all five rows. Therefore, the cited Kleewin teaches away from the claim requirement of generating a second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter, and wherein the rowset parameter indicates a maximum number of rows to return.

For the above reasons, claim 56 is patentable over the cited Kleewin because the cited Kleewin does not teach or suggest, nor can be modified to teach or suggest, all the claim limitations.

Claims 57-64

The Examiner has also rejected pending claims 57-64 that depend on the pending independent claims 56. Applicants submit that these claims are patentable over the cited art because they depend from claim 56 which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 57-64 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Claims 15, 37, 58

Claim 15 depends from claim 14, wherein generating the second data block with the first server program from the rows in the first data block comprises:

adding rows from the first data block to the second data block until a size of the second data block reaches one of the rowset parameter or the block limit; and

buffering the rows in the first data block that are not added to the second data block.

The Examiner has rejected claim 15 under 35 U.S.C. §103 in view of Kleewin and Vicik. The Examiner found that Vicik (col. 13: lines 19-23) discloses buffering rows in the data block. The Examiner proposes a modification to Kleewin to include buffering rows in the data block for the purpose of providing a temporary storage so that the data can be later read out in the correct order. However, nowhere does the cited Vicik or the cited Kleewin add rows from the first data block to the second data block until a size of the second data block reaches one of the rowset parameter or the block limit. The cited FIG. 7 of Kleewin has been found by the Examiner as adding rows from the first data block to the second data block. However, the cited FIG. 7 of Kleewin is for position update and block fetch. Nowhere does the cited FIG. 7 of Kleewin teach or suggest the claim requirement of adding rows from the first data block to the second data block until a size of the second data block reaches one of the rowset parameter or the block limit.

For the above reasons, claims 15, 37, and 58 are patentable over the cited Kleewin and Vicik because the cited Kleewin and Vicik do not teach or suggest, nor can be modified to teach or suggest, either alone or in combination, all the claim limitations.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-64 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 50-0585.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Amdt. dated September 2, 2003
Reply to Office action of 06/02/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

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